

IFW GP1648 ✓

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-618)

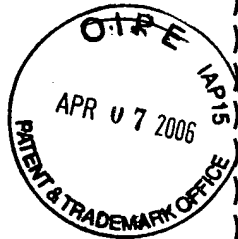
In re Application of

Cartier et al.

Serial No.: 09/856,349

Filed: August 23, 2002

For: Multivalent T.D. Polio Vaccine Against at
Least Diphtheria Poliomyelitis and Tetanus



Examiner: Lucas, Zachariah

Group Art Unit: 1648

Confirmation No.: 6851

TRANSMITTAL LETTER

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

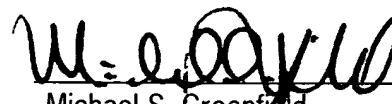
Sir:

1. We are transmitting herewith the attached papers for the above-described patent application:
 - A. Supplemental Information Disclosure Statement;
 - B. Supplement IDS Form SB08, citing and including copies of 14 references; and
 - C. Return Receipt Postcard.
2. GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES: A check in the amount of \$180.00 for the Information Disclosure Statement fee is enclosed. Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2490.
3. CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 3, 2006.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Dated: April 3, 2006

By:


Michael S. Greenfield
Reg. No. 37,142

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-SB08 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35

U.S.C. sections 102 or 103, nor is this submission to be construed as a representation that a search has been made.

CITED REFERENCES

Foreign Patent Documents

1. WO 98/19702 A1 Florent et al. 05-14-1998

Other Documents

2. C.F.M. Hendriksen et al., "The use of the Toxin Binding Inhibition (ToBI) test for the estimation of the potency of the diphtheria component of vaccines, J. Biol. Standard. 17.241-7, 1989.
3. Letter from Connaught Medical Research laboratories to Dr. Herdis von Magnus, Statens Serum Institute, dated 10 September 1969, received on 19 September 1969.
4. Direction-sheet: DT POLIO VACCINE; Diphtheria and tetanus toxoids combined with purified poliomyelitis vaccine, Connaught Medical Research laboratories.
5. Specimen protocol: FINAL CONTAINER – TEST PROTOCOL SUMMARY, signed on 29 November 1968 and on 6 January 1969. (Enclosure of Cite No. 3).
6. Excerpts from "International Product Catalogue," Connaught Laboratories Limited; A Pasteur Mérieux Company, International Division. (un-dated catalogue, no pagination)
7. Excerpt from "Compendium of Pharmaceuticals and Specialties; The Canadian Drug Reference for Health Professionals," page 209, 1995.
8. Excerpt from "Compendium of Pharmaceuticals and Specialties; The Canadian Drug Reference for Health Professionals," page 236, 1986.
9. R.D. Barron, et al., "TABTD-Polio Vaccine; Immunizations of Recruits with a Combined Vaccine Containing Diphtheria and Tetanus Toxioids, TAB and Poliomyelitis Vaccines. Canadian Journal of Public Health, 54, 493-9, 1963.
10. A.M. Galazka and S.E. Robertson, "Immunization against diphtheria with special emphasis on immunization of adults," Vaccine, 14,845-857.1996.
11. Internet site: http://www.aventispasteur.com/index.cfm?FA=HISTORY_HERITAGE_2: "Aventis Pasteur: History generates hope," Aventis Pasteur SA., 2004.


12. Internet site: <http://www.healthheritageresearch.com/Diphtheria-conn9602.html>: "Connaught and the Defeat of Diphtheria," C.J. Ruddy, Health Heritage Research Service, 2000.
13. Internet site: <http://www.worldexpeort.com/tc98/on-pasteur-e.html> :Health Care – Pasteur Mérieux Connaught – Canada, Department of Foreign Affairs and International Trade, 1993.
14. Extract of the Irish Marketing Authorization for IPV-Boostrix.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: April 3, 2006

By:



Michael S. Greenfield
Registration No. 37,142

Please type a plus sign (+) inside this box ☐

PTO/SB/08B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application No.	09/856,349
Filing Date:	August 23, 2002
First Named Inventor	Jean Rene Cartier
Group Art Unit	1648
Examiner Name	Lucas, Zachariah
Attorney Docket No.	01-618

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. 1	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	1.	WO	98/19702	A1	Florent et al.	05-14-1998		

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. 1	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	2.	C.F.M. Hendriksen et al., "The use of the Toxin Binding Inhibition (ToBI) test for the estimation of the potency of the diphtheria component of vaccines, J. Biol. Standard. 17.241-7, 1989.	
	3.	Letter from Connaught Medical Research laboratories to Dr. Herdis von Magnus, Statens Serum Institute, dated 10 September 1969, received on 19 September 1969.	
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	9.	R.D. Barron, et al., "TABTD-Polio Vaccine; Immunizations of Recruits with a Combined Vaccine Containing Diphtheria and Tetanus Toxoids, TAB and Poliomyelitis Vaccines. Canadian Journal of Public Health, 54, 493-9, 1963.	
	10.	A.M. Galazka and S.E. Robertson, "Immunization against diphtheria with special emphasis on immunization of adults," Vaccine, 14,845-857.1996.	
	11.	Internet site: http://www.aventispasteur.com/index.cfm?FA=HISTORY_HERITAGE_2 : "Aventis Pasteur: History generates hope," Aventis Pasteur SA., 2004.	
	12.	Internet site: http://www.healthheritageresearch.com/Diphtheria-conn9602.html : "Connaught and the Defeat of Diphtheria," C.J. Ruffy, Health Heritage Research Service, 2000.	
	13.	Internet site: http://www.worldexport.com/tc98/on-pasteur-e.html : Health Care -- Pasteur Mérieux Connaught -- Canada, Department of Foreign Affairs and International Trade, 1993.	
	14.	Extract of the Irish Marketing Authorization for IPV-Boostrix.	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English translation is attached.

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